REISSUE LITIGATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	Reissu	Reissue Application of: U.S. Patent No. 5,570,338 Mark L. Collins <i>et al</i> . Re Serial No. 09/533,906 Re Application Filed: March 8, 2000) Group Art Unit: 1655)) Examiner: Johannsen))) Atty. Docket No. Collins Reissue Protes)	
	For:	TARGET AND BACKGROUND CAPTURE METHODS WITH AMPLIFICATION FOR AFFINITY ASSAYS	E)))	
	TRANSMITTAL LETTER			
COSSIDOS COSSIO	Comm Washin Sir: Litigat	Supplemental Information Disclosure Statempgs.; 2. PTO Form 1449 - 1 pg. (in duplicate - 2 pgs.) 3. One Reference (U.S. Pat. No. 4,957,858, Chu.) 4. Proof of Service to: Jean Burke Fordis of Fin	nent for Protest Under 37 CFR § 1.291 - 3 total); u et al.); nnegan, Henderson, Farabow, Garrett, &	
	I hereby Group A	Dunner, LLP, 1300 I Street, N.W., Washingto CERTIFICATE OF D certify that this correspondence (along with any referred to as at Unit 1655 on the date indicated below addressed to the Consioner for Patents, Washington, D.C. 20231. Delivery	ELIVERY being attached or enclosed) is being hand delivered to	

PROTEST UNDER 37 C.F.R. § 1.291(a)

REISSUE LITIGATION

TRANSMITTAL LETTER

Reissue App. of U.S. Patent No. 5,570,338 Mark L. Collins et al.

Atty. Docket No. Collins Reissue Protest

Reissue Application Filed: March 8, 2000

The enclosed documents are being hand-delivered as evidenced by the Certificate of Delivery on page one of this Transmittal Letter.

No fee is believed due in connection with this filing. If, however, Applicant is in error and a fee is due, please debit Deposit Account No. 07-0835 the appropriate amount.

Respectfully submitted,

Dated: March 23, 2001

Peter R. Shearer Reg. No. 28,117

Gen-Probe Incorporated 10210 Genetic Center Drive San Diego, California 92121 Telephone: (858) 410-8920 Facsimile: (858)410-8637

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

U.S. Patent No. 5,750,338

Mark L. Collins et al.

Reissue Serial No. 09/533,906

Reissue Application Filed: March 8, 2000

For: TARGET AND BACKGROUND

CAPTURE METHODS WITH AMPLIFICATION FOR AFFINITY

ASSAYS

Group Art Unit:

1655

Examiner:

D. Johannsen

PROOF OF SERVICE

ATTENTION: REISSUE LITIGATION BOX 7

Commissioner for Patents Washington, D.C. 20231

- I, Kellee Clinton, do hereby declare as follows:
- 1. I am over the age of eighteen years, and not a party to this proceeding.
- 2. My business address is 10210 Genetic Center Drive, San Diego, California 92121.
- On 3/3/01, I served the following documents in the manner described in 3.

Paragraph 4:

U

Ф

M

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT – 3 pgs.;

PTO FORM 1449 – 1 pg.;

ONE (1) REFERENCE (U.S. Pat. No. 4,957,858, Chu et al.);

TRANSMITTAL LETTER TO PTO - 2 pgs.; and

COPY OF RETURN/PREPAID POSTCARD TO PTO.

4. On 3/3/01, I served the documents listed in Paragraph 3 by placing a copy of each of the documents in an envelope, sealing the envelope, and, with postage fully prepaid, placing the envelope for deposit with the United States Postal Service on the same day, at my business address shown above, following ordinary business practices, addressed to:

Jean Burke Fordis, Reg. No. 32,984 Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P Suite 700 1300 I Street, N.W. Washington, D.C. 20005-3315

I hereby declare under the laws of the United States of America that all statements made herein are true of my own knowledge and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Executed at San Diego, California on March 23, 200/

Kellee Clinton